REV. DR. HUSTON.

The Revald Representative Interviews Him in Baltimore.

THE SCANDAL IN THE CHURCH.

He Denies the Charges of Seduction and Immorality.

A TISSUE OF FALSEHOODS

Beverends Rogers and Munsey on the Young Lady's Affidavit.

HER DETAILS OF THEIR OPERATIONS.

Mrs. Taliaferro and the Ungrateful Refugee.

The Doctor's Sympathy for Another Lady Brings Down Upon Him the Malevolence of a Female Pensioner-A Question as to a Present of a Sewing Machine.

REVENGE LYING IN WAIT.

The Reverend Gentleman Fears a Bloody Contest with the Girl's Uncle.

WHAT HE WILL DO ABOUT IT.

A Conversation with the Young Lady.

HER STORY REPEATED.

BALTIMORE, March 11, 1872. The case of Rev. Dr. Lorenzo Dow Huston, of the lethodist Episcopai Church, South, whose alleged ampliarity with the female portion of his congreghout the country of late, is still the subject e, and the opinions expressed in regard to it are almost as various as the people who discuss it. Dr. Huston has many friends who stoutly assert his anocence, but the greater portion of the commu-nity seem to think there is at least cause for grave suspicion, and I am bound to infer, from what I see and hear, and the declarations of the Conference mittee, "that the charges demanded immediate thorough investigation," that there are many circumstances that demand on. Contrary to the rumor which revailed last night, he did not take he train for the West, but came to Baltimore, and is now staying at the house of his friend and legal adviser, Mr. Samuel Snowden, where he has been called upon by many of his friends. So many grave ramors have been set affoat and so many tearful tales are still told of this reverend gentieman and his eccentricities that I called to see him this moraing to get, if possible, his statement of the affair. I accordingly went to Mr. Snowden's, and, upon asking to see him, was shown into the library, a neat little room, furnished with all the appliances

INTERVIEW WITH THE DOCTOR.

After a short space of time the door opened and I ras in the presence of this clergyman who has so addenly obtained a prominence before the public more extended than pleasant. I now introduced ayself and was received with cordiality. Dr. Huston, in stature, is about medium size. He has an attractive face, light blue eyes, sandy gray whiskers and mustache and a slightly baid d. There is nothing of the lecter about hi If he should prove the Don Juan which some of the papers have represented him it will be another of these abnormal exceptions which are sometimes met with in our common humanity.

HIS ADDRESS IS UNAFFECTED AND AGREEABLE. and in conversation he displays a plain common sense and a thorough appreciation of his unfor-tenate situation. After the usual passing remarks I informed him of the object of my visit, and that any statement he might have to make would be faithfully reproduced in the HERALD. The Dector expressed himself as highly gratified with the course the Herald had pur-sued with reference to him, and contrasted he wished to correct some faise statements which he started for Warrenton he tore his clergyman's railroad ticket up, determined not to take advantage of

bis position as long as these
GRAVE CHARGES WERE SUSPENDED OVER HIM. Upon reaching the junction he noticed that all ages were directed toward him. He felt keenly the position in which he was placed, and at Warrenton he walked directly to his hotel, where he secured a room. In less than ten minutes numbers of promi-nent citisens called upon him, among whom was Colonel Ashby, and gave him assurance of their most heartielt sympathy and their conviction that the charges were false in every respect. Dr. Huston then referred to the general subject of the charges alleged against him, and declared that they spiracy to cover up the sins of others.

HE SEEMED DEEPLY AFFECTED. and spoke with great warmth when referring to the various rumors that had been set afoat in relation to his connection with the sisters of his con-

after hearing his statement in a general way I asked, "Doctor, what do you conceive to be the objest of this little girl in making such an accusation?"
"The girl stated that she was led astray by me in September, 1870. Mr. Rogers, the Presiding Elder, stated before the committee that he had evidence that she was seduced long prior to that date—in fact, that she had been cohabiting with young men from the time she was twelve years old. In her amdavit presented to the committee her declaration mr. Rogers asked why she had left out so material ortion of her evidence, to which she replied that that it was known she had been to assignation uses with young men. Mr. Rogers then asked her

WHY SHE MADE THE STATEMENT in the first instance. Sue said she made it for a purpose. My own impression is that these young men had become alarmed, and, dreading a discovery of their dealings with the girl, determined if possible to cast the onus upon me of having led the girl satray. Letters from her to one, at least, of these young men have been despatched since the reputed disclosures in the papers. Parties have volunteered to point out to my lawyer the young men in quession, asserting that they were resolved an innocent man should not be overwhelmed by the weight of such an accusation. I am clearly of the opinion that these charges were set affoat in the manner above stated for the purpose of screening the guilty parties."

"Doctor, a long account appeared in one of the Baltimore papers of your connection with a woman whom you kept at Mrs. Taliaferro's house. Is there any truth in the story?"

"The whole story is parfect back. I will tell you

ole story is perfect bosh. I will tell you

and what there is in it. My attention was called to a girl confined in the Middle district station nouse as a vagrant. She claimed to be a member of a very respectable family in Milledgeville, us. I was

and bear with her; that it was a hard case, but she might not get another home. She took my advice. In about a week she came back, it was snowing hard. I told her to come in, and feeling the cold air under the door upon my unprotected leet I invited her into the parlor, where there was a fire. She came in and took her seat by the door. This is the only time

I was alone with the gibl.

I had frequently prayed with her at Mrs. Taliaferro's house, but always in the presence of that lady, she subsequently left Mrs. Taliaferro's house."

"There was something said in one of the papers, bootor, about a sewing machine having been sent to this girl at Mrs. Taliaferro's. Was the statement correct?"

ro's house, but always in the presence of that lady. She subsequently ieft Mrs. Tailaferro's noise."

"There was something said in one of the papers, Doctor, about a sewing machine having been sent to this mir at Mrs. Tailaferro's. Was the statement correct?"

"The statement was false. The sewing machine was bought by members of my congregation for Mrs. Tailailerro and sent to her. It was not intended for the girl."

"Can you conceive of any reason that Mrs. Tailaferro may have had for injuring you?"

"I know of none save this.—Infere was an Anorrien Lady in Mr Congregation, formerly of Anne Arundel county. She had been rich and in her better days in secure to prove to the thing of the congregation at least equal to those of Mrs. Tailaferro. I so expressed myself, and my congregation introd their attention to this lady. Mrs. Tailaferro. I so expressed myself, and my congregation introd their attention to this lady. Mrs. Tailaferro was a curtous woman, and thought that any attention to this lady was so much unjustly withholder from her. This is the only way in which I can account for her Ill iteling towards me."

"A statement has appeared in one of the daily papers to the effect that

You had Seducted A skrvant girl.

Have you anything to say about that?"

"That is an old case trumped up against me. It has aiready been proven to be a taisenood. You see they are searching out these things and endeavoring to pile up baseless remors in the hope that the number of accusations will diaguase the utter want of foundation upon which they are built and created themselves to secure it are now in the sitting room, if you wish to see them."

The Doctor here pointed to the door of the next room. Your writer had seen the ladies as he entered, but though it unnecessary to question them, and so politely declined the Doctor's invitation.

"Have you any enemies in Baitmore, Doctor, whom you would think Hely to trump up such unparalleed charges against you?"

"I don't know, sir. When I came to Baltimore I was a subject to the cont

do. He believed some of the papers in Baltimore were absolutely

TRYING TO GET HIM ASSASSIMATED.

In fact, one of them had almost offered a bid for an assassin. Tray seemed to be trying to stir up the rough element against him and his life was in danger. He had not fully made up his mind whether he would go back to Cincinnati, St. Louis or remain in Baltimore. He then offered your writer letters from a number of persons in different parts of the country, all of which expressed the deepest sympathy for him in his misfortunes and an utter disbelief of the charges against him. Several of these letters were from ladies. They all evinced a spirit of the deepest plety and most perfect

Some of them were from parties who had entirely passed out of his recoilection. He seemed deeply moved by their kindness, and spoke with decided feeling of these evidences of respect and veneration under such decidedly unfavorable circumstances. "Dr. Huston, I am toid that the uncle of the young lady has reached this city from Boston, and is in quest of you. Have you heard anything of him?" "Yes, I have been so informed. I hope I shail not meet him. Parties are doubtless misleading him. In the event of his attacking me I should, of course, be forced to defend myself for the sake of my family; but it would be LOVE FOR AND CONFIDENCE IN DR. HUSTON.

be forced to defend myself for the sake of my family; but it would be

A DREADPUL ALTERNATIVE.

I understand that he has been in the city some days. You see exactly how I am situated. If I venture out upon the street I am in momentary apprehension of an attack, and I hardly wonder a. If when I consider the litheral course of some of the newspapers. Some lawyers from Richmond called on me at Warrenion, Va. and told me that the account in one of the Baltimore papers bore upon lits face the evidences of a malicious and worked up livel."

"Do you propose to bring an action against that

"Do you propose to bring an action against that paper?"

"Yes; I have instructed my lawver, Mr. Snowden, to do so. I have placed everything in his mands, with instructions to bring it to an issue as soon as possible. I do not know who he has retained to assist him in the case, as I have left it all to him."

Dr. Huston further said that he did not know which investigation would take place first, that instituted by the Church, or the trial before the secular Court. He was very anxious that the case should be ventilated as soon as possible.

BALTIMORE LADIES VISITING THE DOCTOR.

While your writer was in conversation with the reverend gentleman a number of the most respectable ladies in Baltimore called upon him, and several of them were awating his letsure as the HERALD representative passed out. In conversation he is pleasant and ready. He answered all questions put to him without reserve, talked freely of his case and the terrible misfortune which had so suddenly overwhelmed him and his family, and expressed gratification at the course pursued by the HERALD with reference to immedi. If the press of Baltimore have latihinly depicted nian he certainly possesses powers of deception seidom equalied by the most accomplished in crime. Very few count gaze upon his mild, benevolent-looking countenance and believe him the villain which his accusers would make him out to be, Dr. Huston is staying

AT THE RESIDENCE OF ONE OF HIS PARISHIONERS.

countenance and believe him the viliain which his accusers would make him out to be. Dr. Huston is staying at the counter of the surroundings are luxurious and elegant. Everything about the place suggests taste and reinement; just such a retreat as discloses upon its face the abode of virtue and innocence. Surely these good people have discovered something in their pastor which the outside world does not see. It can scarcely be possible that the serpent could enter that paradise and envelop the inmates with its colls, so as to blind their judgment and deaden their instincts to all that is pure and precious in life. Such was the reflection of your writer as he made his way out of the mansion. An evening paper makes the assertion that THE UNCLE OF THE YOUNG LADY, alluded to during the laterview, called at the temporary residence of Dr. Huston this morning and was denied admission. It may be so, though I do not regard it as probable. My interview with the morning, and no such person called while I was with him.

LATER.

morning, and no such person called while I was with him.

LATER.
I have, since writing the above, ascertained that Mr. Hiss, the uncle of the little girl above mentioned, did call this morning at the house where Dr. Huston is stopping. He was denied admission, but insisted upon having an interview with the clergy-man. The proprietor politely but positively enused to grant him that privilege. Some very harsh language was used, but up to this time nothing of a more violent character has occurred. The impression is gaining ground that Dr. Huston will leave for the West to night.

AN INTERVIEW WITH THE CHILD'S MOTHER. AN INTERVIEW WITH THE CHILD'S MOTHER.

this matter, the HERALD writer this afternoon called at the house of the mother of the child, who is the principal of the accusers of Dr. Huston. The mother is very much of a lady, as we say here, both to appearance and manners, and is evidently almost is the principal of the accesses of Dr. Huston. The mother is very much of a lady, as we say here, both in appearance and manners, and is evidently almost heartbroken on account of the sorrow that has becalied her hitle household. She could at times scarcely speak for entotion, and was appaired when I read to her the statement of the statement of the season of the

that she had had no dealings with any man until long

AFTER DR, HUSTON HAD LED HER ASTRAY, and then only under his advice; that he not only advised her, but inquired afterwards whether she had been anywhere and when. She told him where she went; he told ner she had beiter go further from home next time. She admitted that she did wrong by assenting; that Dr, liuston had been with her elsewhere besides the house of Lucy A. Turner, servant of the Doctor; but said that she was ashaned at first to own to her mother, in her great distress, that she had been to those houses wine others. She said she corrected this portion of her statement soon after, and candially told the whole truth concerning her meetings with Dr. Huston. She says they were so irequent that she could not enumerate hem, and all, with the exception of the members of the family were out, in one of the upstairs rooms. The remainder of her narrative was pretty much as has already been published, nachuling some alleged conversations with the Doctor. Her whole manner was calculated to impress the listener favorably as to her veracity.

Upon one point your writer specially questioned

calculated to impress the listener involutely her veracity.

Upon one point your writer specially questioned her—whether she had over heard of a similar charge made by Virginia Hopkins in November last. Both she and her mother replied that they had never heard the slightest intimation about either the above case or that of Lilly Mumford until they were made public last week. Her mother said tha had she heard of them she would have been on her

guard.
The lady resides in a small two story brick dwelling, with her two sisters, both widows. She has two daughters. The house is plainly but nearly furnished, and gives tokens of taste and thrift. Hard must have been the heart that would enter that home to desboil it of its jeweis.

SAVED FROM THE GALLOWS.

THE SIXTEENTH STREET TRAGENY.

McNevins' Sentence of Death Set Aside Through His Counsel's Efforts-Fifteen Months in State Prison Instead.

A tragedy was enacted on the morning of November 23, 1870, as a finale to a feud of long standing which had existed between two factions, known as "McNevins" and "Hines" " crowds, both of the notorious Sixteenth street gang. The night prior both parties, with their respective friends, met at Feary's liquor saloon, in East Sixteenth street, where James Hines asked Willie McNevins to take a drink. McNevins made some reply and said, "I have it in for your brother," pointing to Edward Hines, who was standing at the bar. Jim Hines then wanted to take his brother home, but when he Edward Hines on the side of the head. The latter turned around to see from whence the blow came, when McNevins, who was standing but three o four feet then from him, discharged the content taking effect in Edward Hines' stomach. McNevins hereupon instantly stepped back and shot twice at Jim Hines, one of the balls entering the fanlight of the store and the other taking effect in Jim's hip.

vue Hospital, where HE DIED NEXT MORNING, and McNevins was arrested, committed to the Tombs and indicted for murder in the first degree. On the 22d of May, 1871, he was arranged in the

COURT OF GENERAL SESSIONS for trial, Recorder Hackett presiding. The people were represented by Assistant District Attorney Aigernon S. Suilivan, and fully proved the foregoing facts. Mr. William F. Howe looked after the of McNevins; but after a four days' trial, when no legitimate defence could be shown on Moneyins' behalf, a vergict of guilty of murder in Following Sentence was Pronounced by Gun-

william H. McNevins, you were indicided, tried and convicted of the murder of Edward Hines. Your trial lasted four days. You were, indeed, ably detended, honorably prosecuted, and, as I think on the evidence, righteously convicted. You availed yourself of the late statute permitting prisoners to give evidence in their own behalf, and you, I regret to say, like all other prisoners who have testing in in this court room, with rare exceptions, swore to too much, thereby tainting, as it were, your story with suspicion. He great question which presented itself on your trial was one of credibility, and the jury found against you. Nothing now remains but for the Court io mete out the penalty prescribed by statute for your great crime against the laws of God and man. The judgment of the Court is, that you, Whilam H. McNevins, for the murder and felony whereof you stand convicted, be taken hence to the piace from whence you came, there to be safely kept and detained, and on the lith day of July. 1811, you be banged by the neck until you are dead, and may God have mercy on your soul.

The death warrant was then read by the Cierk, and McNevins, who was very visibly affected introughout Judge Bedford's remarks, was removed to the Tombs; but before the lapse of a day his indicating the proceedings, which were granted by and stay of proceedings, which were granted by

A WRIT OF ERROR
and stay of proceedings, which were granted by
Justice Ingraham, thereby carrying the case to the
General Term of the Supreme Court. His case there
was argued before the full bench of the Supreme
Court, when the conviction was reversed and a new
transcriptered.

Court, when the conviction was reversed and a new trial ordered.

Yesterday the case again came up for trial in the Court of General Sessions, and McNevins was agair represented by his able counsel, Mr. Howe, who suggested that inasmuch as the previous conviction had been set aside the District Attorney could no look for a verdict of murder in the first degree, and thereupon proposed that McNevins should interpose a plea of

look for a verdict of murder in the first degree, and therempon proposed that McNevins should interpose a piea of

GUILTY OF MANSLAUGHTER

in the third degree. After some discussion it was agreed that the piea should be accepted, and McNevins, who is a clean-shaven, bright-looking young man, was then arraigned at the bar. Aiter McNevins plead guilty to manslaughter in the third degree he was asked by the Court what he had to say why judgment should not be pronounced against him, when

MR. HOWE AROSE AND SAID:—

May it please Your Honor, in mitigation of punishment I have to say that it has been developed that a short time prior to this sad occurrence the deceased attacked the prisoner's mother and beat her unmercifully, knocking out several of her teeth. Capitan Leary, of the Twenty-first precinct, is in Court to tell Your Honor what

A NOTORIOUS ROUGE the deceased was, and the dangerous character he sustained as a prize fighter and fermenter of quarrels, while, on the other hand, I submit affidavits from most reputable citizens and employers of McNevins, who show his reputation for peacclulness and quietude. The General Term, too, in its opinion reversing the unjust verdict of murder, said that a verdict of manslaughter in the fourth degree might have been found. Taking all these facts into consideration, and also that two good priests, under whose pastoral care McNevins has been since his infancy, spoke to the learned Judge on his former trial in his behalf, I am of the opinion that the interests of justice will be subserved by the indiction of a light senience, the prisoner having already been confined over seventeen months.

DEATH APERTED.

At the conclusion of Mr. Howe's remarks—which were listened to with mond attention—Recorder Hackett sentenced McNevins to fifteen months' imprisonment in the State Prison, and he was speedily removed from the court room, and seemed greatly rejoiced at the fortunate termination of his case.

SUICIDE BY HANGING IN BROOKLYN.

Mrs. Honora Byrne, wife of Thomas Byrne, residing at the corner of Yates avenue and Quincy street, committed suicide yesterday afternoon by hanging committed suicide yesterday afternoon by hanging herself. For the past two or three years she has been in the habit of drinking to excess, and neglected her household duties. Her husband, who is employed in a dry goods store in New York, feeling ill yesterday, remained he home, and they quarrelled. He asked net who had been disturbing his tools which he kept in a box, when she selzed a mallet and the head. He was the self and the head he was thereafter and asked the children where she was. They said she had gone up stairs. On looking into her steeping room he saw her suspended by the neck from one of the shelves, she haying attached a piece of muslin about her neck, passed it over the shelf and then upset the mair upon whom she was standing. She has thirty-due years of age and had three Children, the youngest being only one year old. The Coroner was notified.

THE COURTS.

The Jumel Es.ate Case-An Alleged Bogus Bank ing Firm in Court-Government Tax on Liquor Proisione Business in the General Sessions.

was a few words UNITED STATES CIRCUIT COURT. The Jamel Estate Case.

Before Judge Shipman. The further hearing of the case of George Washington Bowen vs. Nelson Chase was resumed yester-Evidence was offered on the part of the plaintiff

by way of rebuttal. Counsel for plaintiff sought to get in declaration

Coussel for plaintiff sought to get in declarations alleged to nave been made by Madame Jumel, to the effect that she had a son, coursel proposing to give rais proof by a witness on the stand; but Mr. o'Conor, of counsel for defendant, objected, and the Court sustained the objection, holding that the offer made was part of the plaintin's principal case, and could not be gone into on resultal.

Papers were read and testimony given in relation to various collateral branches of the litigation, and also with respect to alleged contradictions of witnesses.

messes.

Mr. William Bonynge, a stenographer, connected with the firm of Warourton, Bonynge & Underhill, was called to the stand to testify with respect to shorthand notes he nad taken in the case. He read a considerable portion of the evidence from his notes, and was complimented by Mr. Chauncey Shafter, one of the counsel for the plaintiff, on the ability and intelligence he displayed in the practice of his procession.

ability and intelligence he displayed in the practice of his procession.

At a quarter past four o'clock counsel for plaintiff announced that all the further evidence they had now to oher would not occupy probably more than forty minutes.

The Court then adjourned to cleven o'clock this morning. After the close of the plaintiff's rebuting testimony the defendant may, possibly, examine a few witnesses. The trial will, in all likelihood, be brought to a conclusion this week. It is understood that Mr. Carter will sum up the case on the part of Mr. Chase, the defendant.

The statement made yesterday that United States Marshals had been engaged in the service of papers at the office of the Eric Railway Company upon Jay Gould led to the supposition that some action had been taken in the United States Courts with respect been taken in the United States Courts with respect to that individual. The consequence was that many inquiries were made yesterday at Marshal Sharpe's office with the view of finding out if Gould was again to be in any way made amenable to federal authority; and parties were on the qui vice to see if there would be a motion or motions for attachments, injunctions or things of that sort against any one acting in the interests of Erie; but no proceeding of that kind engaged the attention of any of our iederal judges.

COURT OF CYES AND TERMINER. The Case of Lee, Duncan & Co., Bankers.

sembling of this Court yesterday the only business transacted of public interest was dis-posing of the case of Edward Green, arrested on a charge of being connected with the alleged bogus banking firm of Lee, Duncan & Co., and selling banking firm of Lee, Duncan & Co., and selling worthless draits on the Bank of England and Royal Bank of Ireland. The evidence, as will be remembered, upon which Green was arrested was a lotter from the Bank of Ireland stating that the firm in question had no funds on deposit there, and the testimony of one of the complainants that he had applied to the Bank of England and was informed by the cashier that in that bank there were no funds to the credit of this firm. The Judge held that this was maudicient evidence upon which to hold the prisoner, but in view of an indictinent having been found against him and the possibility of other evidence being produced against him he was remanded thi Friday for trial.

SUPREME COURT-TRIAL TERM-PART L

Government Tax on Liquor and What Before Judge Barrett. Wm. Krohne vs. Jacob Aaron Heimer et al.-The

plaintif went security on a bond for the defendants to the United States government on account of a quantity of liquors seized for non-payment of quantity of liquors seized for non-payment of government tax. This bond was never paid, and the result was seizure of the plaintiff's place and saie of his effects. Suit was brought to recover the value of his property thus sold, his claim being some twenty-five thousand dollars. The defence was that the goods sold by the government amounted to only about one thousand dollars, and that the defendants were only hable to this extent. The trial, which has been in progress several days, concluded yesterday, and resulted in a verdict for \$6,034 80 for the plaintiff.

SUPREME COURT-CHAMBERS.

Decisions. By Judge Cardozo Burr et al. vs. Burr et al.-Order granted.

In the matter of the application of D. C. Mahoney et al. for leave to sell, &c.—Report of referee confirmed and order granted.

Cook vs. Mixer et al.—Order granted.
Baylard vs. Cook.—Memorandum for cot
Goelet vs. McCool.—Judgment granted.
Kingil vs. Kingil.—Order granted.

MARINE COURT-CHAMBERS.

Decisions.

By Judge Joachimsen.

O'Donnell vs. Thompson.—Judgment for plaintiff, Marcus vs. Murray.-Motion to open default ranted unconditionally.

Burbank vs. Rosendale.—Judgment for plaintiff, Meriden Silver Plating Company vs. Morse.— dotton to open default granted on terms. (See nemorandum.) Schwarz vs. Goldstein.—Motion denied, without

costs.

Josopez vs. Lewis.—Motion denied, without costs.

Leharet vs. Kothschild.—Motion to open defaut
granted on payment of \$10 costs, opposing motion.

Bundick vs. Guntzig.—Judgment for piaintiff for

lers vs. Ahrensdorf.-Judgment for plaintiff nict vs. Rube.—Judgment for plaintiff for

\$138 88.

McDonald vs. Van Valkenburg.—On report of R.

I. Channing, referee, motion to substitute attorney granted on payment of costs reported due.

Schwarz vs Goldstein.—Judgment for plaintiff for \$100 30.

Gerstenberg vs. Schloemer.—Motion to open judgment granted on terms. (See papers.)

COURT OF GENERAL SESSIONS.

Alleged Outrage by a Steptather-Acquittal of the Defendant.

Before Recorder flackett.

The most of yesterday was spent in the trial of Frederick Steig, who was charged with committing Prederick Steig, who was charged with committing an outrage upon his stepdaughter, in February, 1870. The complaining witness, Katie Steig, was cross-examined at great length. The accused was sworn in his own behalf, and denied having committed the offence, and stated that the aunt of the young girl (his daughter) quarrelled with him about two houses which he owned, he having revoked a will which he made previous to his wile's death. A large number of highly respectable gentlemen testhed to the good character of the defendant, and the statement of the counsel that this was a conspiracy against Mr. Steig, who was not charged with the offence till fifteen months after its alleged commission, seems to have been credited by the jury, for after a brief consultation a verdict of not guilty was rendered.

An Outrage Upon a Girl. Charles O'Neill, arias Christopher Smith, pleaded guilty to an assault, with intent to commit a rape, upon Mary Duffy, and was remanded for sentence.
George Quinn. a young cripple, who, conjointly
with others, was charged with assaulting and robbing Thomas Kelly on the 31st of December last,
and scaling a siver waich, was convicted of assault
and battery and sent to the House of Reinge.

COURT CALENDARS-THIS DAY.

SUPREME COURT—SPECIAL TERM.—Adjourned to Monday, March 18, at eleven A. M.
SUPREME COURT—URCUIT—Part 1—Held by Judge Barrett—Court opens 11 A. M.—Nos. 951, 155, 621, 1399, 141½, 352, 1291, 1297, 1425, 1427, 1433, 1437, 1439, 1447, 1449, 1453, 1465, 1467, 1467, Part 2—Heid by Judge Brady—Court opens at 11 A. M.—Nos. 642, 646, 432½, 603½, 36½, 300½, 594½, 450, 464, 460, 460, 470, 188, 24, 478, 342½, 114, 396, 489, 482.

Nos. 642, 646, 432/8, 603/8, 309/8, 309/8, 5084/8, 460, 460, 460, 470, 183, 24, 478, 342/8, 114, 306, 480, 482, Superior Court opens 11 A. M.—Nos. 387, 1858, 1567, 1880, 1573, 1155, 1706, 1709, 1711, 1713, 1715, 1719, 1721, 1735, 1736, 1741, 1747, 1749, 1761, 1763, 1765, 1767, 1769, 1767, 1769, 1771, 1773, 1751, 1783, COURT OF COMMON PLEAS—TRIAL TERM—Part 1—Heid by Judge J. F. Daly—Court opens at 11 A. M.—Nos. 710, 68, 980, 906, 100514, 1303, By order, Nos. 1829, 473, 71, 652, 472, 1405, 1406, 1409, 1411, Part 2—Heid by Judge Van Brunt—Court opens at 11 A. M.—Nos. 746, 1412, 1413, 1414, 1416, 1410, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, Marine Court—Trial Term—Part 1—Heid by Judge Gross—Court opens at 0. A.—Nos, 7873, 7999, 5063, 7541, 8016, 8073, 8089, 8092, 8121, 8243, 8145, 8242, 8909, 9048, 9031, 5123, 9050, Part 2—Heid by Curtle, 3.—708, 7040, 9044, 8118, 7985, 6121, 8122, 8467, 5170, 8167, 8168, 1828, 8125, 7663, 8800, 8301, 8302, 8308, 8304, 8308, 8308, 8307, 8308,

Hackett, Recorder,—The People vs. James Mo-Gauley, homicide; Same vs. Benedick Lisie, felonious assault and battery; Same vs. Carl Ekberg, felonious assault and battery; Same vs. John Conners, felonious assault and battery; Same vs. William McKay, felonious assault and battery; Same vs. John O'Mara, felonious assault and battery; Same vs. John O'Mara, felonious assault and battery; Same vs. William Lyons, James Wilkinson, John Murray, burgiary; Same vs. John Corcoran, burgiary; Same vs. John Edwards, grand larceny; Same vs. John Edwards, grand larceny; Same vs. John R. Spoals, grand larceny; Same vs. Thomas Farrell, James Rooney, grand larceny.

BROOKLYN COURTS.

SUPREME COURT-SPECIAL TERM.

A Costly Job-The Repaying of Atlantic Ave suc-Contested Assessments—Partial Victory of the Property Owners—The Assessments Reduced—Decision of Judgo Pratt. Before Judge Pratt.

In the matter of the petition of William A. Cost to vacate an assessment for repaying Atlantic ave-nue from Henry street to Fiatbush avenue, Judge Pratt yesterday decided that the assessment must be reduced. This is a partial victory for the property owners who have appealed to the courts to vacate the assessments on the ground that they are exorbitant and nilegal. Mr. Colt's is a test case

exorbitant and illegal. Mr. Coli's is a test case Below will be found

JUGGE PRATF'S DECISION.

The first peint urged by the petitioner to vacate the assessments herein is, that the act of 1850, by which the Board of Water and Sewage Commissioners were clothed with the powers to repave streets is unconstitutional and vold. This point was argued before Judge Gilbert in a recent case relating to Fution avenue, and overfuled by him, and alterwards allitmed by the General Term in this district.

To the second point, that the Common Council had determined to tuilinte proceedings to repave Atlantic street with Belgian pavement prior to the act under consideration, it is sufficient to say that all the powers possessed by the Common Council in the premises, together with increased powers, were transferred to and vested in the Water Board.

It was competent for the Common Council before the Act of 1850 was passed to have either revoked or abandoned its proceedings. This power being vested by the act in the Water Board, that body possessed and could exercise the same discretion. The doctrine of res ad judicio, applied to judicial tribunals, has no bearing upon this proceeding.

The third and fourth points have been decided in

The third and fourth points have been decided in the same case and same manner as the first; but I may add as to the fourth point I do not find it sustained as a matter of fact by the cylience in this

tained as a matter of fact by the evidence in this proceeding.

The fitth point is not sustained by the evidence; besides, if there was any departure by the Water Beard from the method pointed out by the act, it is not shown to have been injurious to the petitioner. The sixth point is answered by deducting from the entire assessment the amount included therein paid for regrading, which should be done.

The seventh point is not sustained by the proofs, the variations between the bid and the contract were beneficial rather than injurious to the petitioner.

The eighth point has been repeatedly decided by

the variations between the bid and the contract were benedical rather than injurious to the petitioner.

The eighth point has been repeatedly decided by the General Ferm of this Court adversely to the doctrine therein chaimed.

The minth point is answered by section eight of the act in question, by which the Water Board had the power to determine which proposal was the most benedicial to the public.

The tenth and eleventh points have been decided adversely to the petitioner's claim in both the Fulton avenue and Main street cases by the last deneral Term of this Court.

The tenms claimed as irregular in the twelfth point are all included in the general terms included in the advertisement and specifications by which the whole work to be done was thrown open to general competition.

In answer to the thirteenth point it is sufficient to say that the petitioners have wholly infied to show that the assessment has been increased by the irregularity complained of therein. So far as appears, the prices fixed for these incidental terms were fair and reasonable, and the petitioner received a benefit by reason of these prices being fixed and considered in the competition for the principal work.

The fourteenth and fifteenth points are predicated

The fourteenth and fifteenth points are predicated The fourteenth and fifteenth points are predicated upon the recent decision of the Court of Appeals in the matter of Laura E. Eager and others, to vacate certain assessments in the city of New York. In my judgment that decision does not apply to the lact proved in tins proceeding. In that case the advertisement was to "construct Nicolson pavement in the localities described," and did not open to competition all the work to be done. In this case the advertisement submitted the whole work to general competition. In that case no one but the Nicolson Pavement Company was permitted to examine the specifications or bill for the contract, either as to the whole work or as to crosswalks, curbstoaes, &c. In this case, by the advertisement, all parties engaged in the business of repaving streets were called upon to compete for this contract, and the proofs show that such parties did compete for the whole contract, and in detail, for each and every of the items of this work, as in the case of Eager, the Court of Appeals held, were erroneously excluded from competition.

The sixteenth point is sustained by the proof. The eighteenth, in relation to the form of the warrant, cannot properly be reviewed in this proceeding; but, if it could, it is correct in form, as

The seventeenth is not sustained by the proof.
The eighteenth, in relation to the form of the
warrant, cannot properly be reviewed in this proceeding; but, if it could, it is correct in form, as
the law requires an anidavit from the Collector that
such a warrant has been preliminarily issued. In
such additional these views an order may be entered reducing the assessment against petitioner in
such sum as said assessment has been increased by
including therein the sum of fliry cents per square
yard for grading.

Order to be settled before me on notice of one day.

C. E. PRATT, J. S. C.

CITY COURT. ment on Bedford Avenue.

Before Judge McCue. Charles E. Evans, the concrete pavement man, brought suit against the city and the Street Commissioner to determine whether he has a right to lay his pavement on sidewalks in the city when to lay his pavement on sidewalks in the city when requested to do so by property owners who desired it in front of their houses. In May last he laid the pavement upon the sidewalk in front of William Fletcher's house, on Bedford avenue, and Street Commissioner Furey had the pavement torn up and notified Evans that it would be torn up wherever he laid it. The Common Council approved Mr. Furey's action.

Assistant Corporation Counsel Jesse Johnson moved for a nonsuit yesterday, and stated that the Street Commissioner had inerely done his duty, the Common Council having previously ordered that nothing but blue stone dagging or serimshaw pavement be laid where plaintiff laid his concrete. Judge McCue granted the nonsuit.

COURT OF SESSIONS.

Before Judge Moore and Justices Voorhees and

Paddy Keenan was formerly Deputy City Auditor under Auditor O'Brien, but is now Mayor's Messenger. He is also a Commissioner of Deeds and a member of the "Regular Democratic General Com-mittee of Kings county." He was arraigned in the Court of Sessions yesterday morning on two indict-ments charging him with forgery and misdemeanor in office. The allegation is that in December last he lorged the names of Charles Gibney and Peter Fogarty as sureties on the proposals of Andrew Fogarty as screties on the proposals of Andrew McKean for street cleaning and removing ashes and garbage in the Sixth and Twelith wards, and also that in his official capacity as Commissioner of Deeds he certified that the said Gibney and Fogarty and McKean appeared before him and signed the necessary papers, which, in fact, they never did.

Ex-District Attorney Jorris appeared for the defendant, and interposed a demurrer to the forgery indictment. The case was postponed until Thursday morning. The fact of Keenan's indictment not having been generally known his appearance in Court yesterday caused considerable surprise and commissed.

BROOKLYN COURT CALENDAR.

CITY COURT.—Nos. 120, 121, 71, 72, 32, 141, 143, 144, 24, 34, 113, 57, 2, 110, 153, 154, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167.

NEW YORK STATE SUPREME COURT CALENDAR.

ROCHESTER, N. Y., March 12, 1872.
The following is the catendar of the New York State Supreme Court for Wednesday, March 13:—Nos. 59, 29, 58, 62, 63, 69, 67, 69, 70, 72, 73, 75.

THE SUIGIDE OF HARRIET MARTIN.

A Druggist Censured.

who died in the Centre Street Hospital from the effects of a dose of morphine taken with suicidal intent. Deceased, on Saturday last, sent Eliza Dowling, of 38 Oak street, to the drug store of Thomas Latham, 89 New Chambers street, for ten cents worth of morphine, which she obtained with specific instructions how to take it. Harrier, how-

specific instructions how to take it. Harriet, however, violated the draggist's order and swallowed all the poison at once.

Mr. Latham was called and testified that he is a licensed druggist and that he sold Mrs. Dowing half a grain of sulphate of morphine for deceased, intending her to take half of it in small doses at frequent intervals and then stop; instead of which, however, deceased mixed the powder in a glass of water and drank it all down at once. Mr. Latham did not sell the poison on the prescription of a physician, and having been in the country less than two years was not aware of the existence of any law regulating the said of poisons. In their vertice, of suionde the jury censured Mr. Latham of saints the morphine without a physician's certificate. Deceased was 27 years of age and a native of England,

FOSTER

His Life Lease Lengthened by Another Stay of Proceedings-Opinion of Judge Barrett, of the Supreme Court, Granting the Stay-The Case to Go to the Court o' Appeals.

William Foster, convicted of the murder of Avery D. Putnam, or, as he is popularly designated, the car-hook murderer, has had given him another car-hook murderer, has had given him another chance for life. Judge Barrett, of the Supreme Court, before whom was made a few days since a motion for stay of proceedings in order to allow the case to be carried to the Court of Appeals, rendered his decision yesterday granting the motion. The judgment of the Court of Oyer and Terminer convicting Foster of murder in the first degree, it will be remembered, was confirmed by the Supreme Court, General Term, and he was sentenced to be does not meet until several days after the appointed day of execution the granting of this stay was of vital moment to Foster -a dernier resort that has saved him a second time from the gallows. The

vital moment to Foster —a dernier resort that has saved him a second time from the gallows. The following is

JUDGE BARRETT'S OPINION.

This is a writ of application for a writ of error and stay of proceedings to enable Foster to prosent his case to the court of hist resort. The Stay is essential for the reason that the Court does not significant to the court does not significant to the correctness of the resont and the court does not significant to the correctness of the railings upon the trial. Having carefully considered the record and the opinions by my brethren in the General Term, my opinion is that the point sought to be presented is not so free from doubt as to justify a relusal of permission to argue it. Justice Cardozo instructed the jury that this was either a case of murder in the first degree or mere mansiaughter. True, he charged that under the indictment the jury might find a verdict of murder in the second degree, but this did not avail the brisoner, as in the same connection he ruled that they could not find such a verdict upon the evidence, for the reason, as he absequently explained, that if the principal charge of murder in the first degree failed the CRIME WAS REDUCED to some degree of mansiaughter. The precise point was then distinctly raised by the exception to the refusal to charge that "if the prisoner killed the deceased by an assault upon him with a deadily weapon, with the linent to main the deceased, but without any design to effect death, such killing is murder in the second degree." If those rulings were correct, then, as the learned District Autorney conceiled upon the present argument, the crime stated in this proposition is reduced to one of the lease in this proposition is reduced to one of the lease in this proposition is reduced to one of the lease in this proposition is reduced to one of the lease in this proposition is reduced to one of the lease in the second degree of pinnsiment for this crime known to the law between that of death in the case of the law minimum that ano

nelony" shall be construed as though followed by the words, "other than that which produced death." The opinions of Jurists are not unanimous upon the point. The remarks of grouson, J., in The People vs. Rector (19 Wond, 569), quoted by the presiding Justice, were in a dissenting opinion. Cowan, J., at pages 592, 593, takes the opposite view, holding that "the section them under consideration swould not be read in the light of so severe a criticism, and that the offence is reduced to manslaughter in the first degree in all cases where the jury shall find that the assailant intends to stop with the commission of misdemeanor, though the blow were aimed at the prisoner." Chief Justice Nelson, at page 616, icans to the view of Cowan, J., and concludes that "the Court ought not, as matter of law, to have taken it altogether out of this provision and thus have excluded it from the jury," The dicta of Bronson, J., were disapproved of in the Court of Appeals, in Dany vs. The People (2 Part., C. R. 696), and the remarks of Parker, J., upon pages 634 and 635, are even stronger and clearer than those of Justice Cowan and Chief Justice Nelson. He says that he finds no warrant for the position taken by Judge Bronson, and that ho exception of the offence of undesignedly causing death white engaged in an assault and battery is made expressly applicable to all crimes and misdemennors not amounting to felony, and it is certain an assault and battery is one. The statute no funder confines this section and the third suddivision of the section defining murder to other offences than those of micritoniar violence." The opinion of Judge Bronson is also criticised and disapprovet of in other particulars by Judges Denio and Selden (chapter 630,642). In the People vs. Butler (3 Part., C. R., 377) Strong, P. J., bases his judgment upon that dicta of Bronson is also criticised and disapprovet of nother particulars by Judges Denio and Selden (chapter 630,642). In the People vs. Butler (3 Part., C. R., 377) Strong, P. J., bases his judgment or referred to in The People vs. Sheehan (49 Part., 217), and no reason is assigned for the construction there given. In Keefe vs. The People (40 N. Y., 356), Grover, J., says:—"in the present case the record shows that the killing was done while the defendant was engaged in the commission of a leiony other than arson in the first degree, and, therefore, under the statute of 1se2, murder in the second degree." The only felony disclosed by the record, consisting, as it did, merely of the indict, ment, conviction, judgment and affirmance, was that which produced the death. Subsequently the leanned Jadge discasses the presumptions raised by the record in a manner indicating that he referred to a collateral felony, and he nowhere distinctly qualifies the expression "the record shows," &c., by any suggestion that it was made use of solely upon the presumption of a collateral felony. The judgment in the People vs. Thompson (41 N. Y., 1), was bused upon inf alliure to except to that portion of the charge which persumption of a collateral felony. The judgment in the People vs. Thompson (41 N. Y., 1), was bused upon infealing and atrocious than "what was requisite to justify a conviction in the first degree." The question of intent to maim was not raised, and the testimony ferred to by Grover, J., showing that "the defendant was not engaged in the commission of a felony was that the prisoner fired a revolver at the deceased and the ball penetrated the auricle of the heart, causing instant death." In this condition of the authorities it is insportant that this get in the case at the bar, should be definitely settled by the triounal of last resort. In view of the opinions of Chief Justice Nelson and Justices Cowan, Emott and Parker, and the absence of any clear and decisive expression upon the subject from the Court of Appeals; in view, too, of the general policy of our lawmakers to extend rather than narrow the degrees of guilt, and especialiy considering the provisions of the act of 1869, to which this act of 1862 was a

SUICIDE IN THIRD AVENUE.

A Beautiful Young Lady Shoots Herself-

Probably a Love Affair.

A case of suicide somewhat mysterious in its character occurred on the second floor of premises 272 Third avenue yesterday afternoon. At the above number (first floor) is a millinery and fancy store, kept by Mr. Meyer Horwitz and his wife, while the family live on the second floor. Mary Horwitz one of the daughters, a beautiful and accomplished young lady, twenty-three years of age, has been in the habit of attending the store, and she assisted in the domestic duties of the house. Yes-terday Mary appeared in her usual health and assisted in the domestic duties of the house. Tearday Mary appeared in her usual health and spirits, but shortly before two o'clock she left the store, and proceeded to her room up stairs; soon after which a younger sister neard a noise as of some heavy body failing, and, running up stairs; to learn the cause of the noise, discovered Mary lying on the floor and blood oozing from a wound in her right temple, she having shot herself with a small-sized Smith & Weson pasiol, which lay on the floor beside the apparently lieless body. Dr. Kammerer, of Twenty-third street, was instantly summoned, and found that the girl was still alive, but her case seemed quite hopeless, and so it proved, as she died soon afterwards. The Eighteeuth precinct police were notified of the tragio occurrence, but did not receive particulars. Inquiries were made at the house of Mr. Horwitz, but his grief was to intense to make an explanation, which would tend to develop the cause of the suicide. It was learned incidentally, however, that Miss Horwitz was engaged to be married, and it is suspected that despondency from disappointment had tempted decased to take her life. Coroner Herrman, who has the case in charge, will make an investigation to-day when the cause of the tragedy doubtless will be developed.

ALLEGED EMBEZZELMENT BY A CLERK.

ALLEGED EMBEZZELMENT BY A CLERK.

John H. Lynch, a clerk in the employ of Noah W. McKinney, proprietor of a fish schooner at the foot of pier 22 North River, was arrested yesterday or pier 22 North River, was arrested Yester-morning by officer McCormack, of the Jeffer Market Court Aquad, upon complaint of his justification which he had collected during the jus-week. The prisoner denied the charge upon be arraigned before Justice Cox, but was held to in the sum of \$8,000 to appear for examination.